

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

-v-

No. 05 Civ. 5231 (LTS)(JLC)

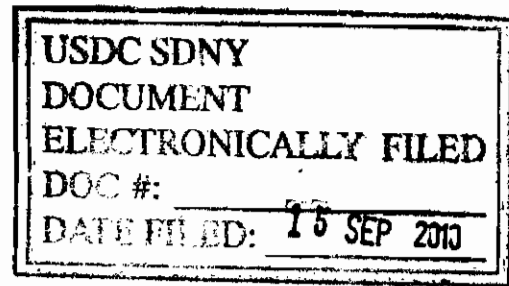
AMERINDO INVESTMENT  
ADVISORS INC., et al.,

Defendants.  
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**ORDER**

The Court has received a letter dated August 23, 2010, from defendant Gary Tanaka indicating his preparation to assume self-representation and requesting the appointment of counsel. The Court construes Mr. Tanaka's letter as an appearance pro se, and will hold in abeyance his request for counsel pending the upcoming conference in this matter, currently scheduled for October 22, 2010.

The Court has also received a letter dated August 31, 2010, from Fox Rothschild LLP, Mr. Tanaka's former counsel, which refers to a response to the SEC's Amended Complaint "sent . . . to the Court" unbeknownst to them by Mr. Tanaka. The Court has not received, nor does the docket reflect, the filing of a response by Mr. Tanaka. Mr. Tanaka is hereby directed to



Copies mailed/delivered to  
Chambers of Judge Swain

*Mr. Tanaka*  
*9-15-10*

promptly file with the Court (by way of the Pro Se Office<sup>1</sup>) and serve on the SEC and counsel for Alberto Vilar his response to the SEC's Amended Complaint.

The SEC is directed to arrange with the Terminal Island Federal Correctional Institution for Mr. Tanaka's telephonic participation in the October 22, 2010, conference.

SO ORDERED.

Dated: New York, New York  
September 15, 2010



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LAURA TAYLOR SWAIN  
United States District Judge

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<sup>1</sup> The mailing address of the Pro Se Office is:

United States District Court of the Southern District of New York  
Pro Se Office  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 230  
New York, New York 10007